### IN THE UNITED STATES DISTRICT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

FILED

§	SEP 3 0 2004
§	CLERK, U.S. DISTRICT COURT WESTERN DIVERSICE OF 12.3
§	WESTERN DISTRICT
§	BYDEPUTY CLL
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§	CIVIL ACTION NO. SA-04-CA-0391-XR
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### PLAINTIFF'S MOTION FOR LEAVE TO ENLARGE PAGE LIMIT

#### TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES PLAINTIFF ROBERT D. MARTINEZ, JR. (hereinafter "Plaintiff"), by and through his undersigned attorney of record, and files this, his Motion for Leave to Enlarge Page Limit for purposes of filing his Motion for Summary Judgment and Response to Defendant's Motion for Summary Judgment. For cause of action, Plaintiff would show unto the Court:

# I. STATEMENT OF FACTS

- 1. On or about August 11, 2004, Defendant filed their Motion for Summary Judgment and Legal Memorandum in Support Thereof.
- 2. On or about August 23, 2004, Plaintiff filed his Unopposed Motion for Leave to Enlarge Time. Plaintiff's Response to same was extended by the Court to be due on or before September 30, 2004.



3. The Court's Scheduling Order allowed Plaintiff (20) pages. Plaintiff has exceeded the limit by one page due to extensive briefing on important issues. Plaintiff requests this enlargement of page limits so that justice may be done.

## II. ARGUMENTS AND AUTHORITIES

WHEREFORE, PREMISES CONSIDERED, PLAINTIFF ROBERT D. MARTINEZ, JR. respectfully prays that the Court grant his Motion for Leave To Enlarge Page Limit of his Motion for Summary Judgment and Response to Defendant's Motion for Summary Judgment, and for further relief, either at law or in equity, to which they may be justly entitled.

Respectfully submitted,

GALE, WILSON & SÁNCHEZ, P.L.L.C. MARK ANTHONY SÁNCHEZ, ESQ. 115 E. Travis Street, Suite 618 San Antonio, Texas 78205 (210) 222-8899 (210) 222-9526 (Telecopier) ATTORNEYS FOR PLAINTIFF

MARK ANTHOMÝ SÁNČHEŽ, ESQ TEXAS STATE BAR NO. 00795857

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that he attempted to confer with counsel for Defendant, James G. Allison regarding Plaintiff's Motion for Leave to Enlarge Page Limit. Mr. Allison was unopposed to this motion.

BEVERLY WEST STEPHENS, ES

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the above and foregoing Plaintiff's Motion for Leave to Enlarge Page Limit has been delivered *via* regular first class mail on this, the 30<sup>th</sup> day of September, 2004, to Susan B. Biggs, Esq., 601 Northwest Loop 410, Suite 600, San Antonio, Texas 78216 and to James G. Allison, Esq., 1801 L Street, Northwest, Washington, D.C., 20507.

MARK ANTHONY SANCHEZ, ESO

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